

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JONATHAN LITTLE : CIVIL ACTION  
v. :  
PAUL SMEAL, et al. : NO. 09-1257  
:

**ORDER**

AND NOW, this 19<sup>th</sup> day of November, 2009, upon consideration of the pleadings and the record herein,<sup>1</sup> and after review of the Report and Recommendation of Elizabeth T. Hey, United States Magistrate Judge, it is hereby ORDERED that:

1. the Magistrate's Report and Recommendation is APPROVED and ADOPTED;
2. the petition for writ of *habeas corpus* is DENIED and DISMISSED;
3. there exists no substantial showing of the denial of a constitutional right requiring the issuance of a certificate of appealability; and
4. the Clerk of Court shall close this matter for statistical purposes.

BY THE COURT:

/s/ C. Darnell Jones II  
C. DARNELL JONES II J.

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<sup>1</sup>The Court notes that Petitioner has failed to file any objections to the Magistrate's Report and Recommendation.